

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN FLYNN III,

Plaintiff,

v.

DR. KHURSHID *et al.*,

Defendants.

Case No. C05-5489RBL

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed defendant's motion to dismiss, plaintiff's support of the motion, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITHOUT PREJUDICE**.
- (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendant, and to the Hon. Karen L. Strombom.

DATED this 28th day of January, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE